

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
DENNIS M. CAVANAUGH
JUDGE

UNITED STATES POST OFFICE
AND COURTHOUSE BUILDING
NEWARK, NJ 07101
Room No. 451
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CLOSED

NOT FOR PUBLICATION

January 24, 2006

THE ORIGINAL OF THIS LETTER ORDER
IS ON FILE WITH THE CLERK OF THE COURT

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RE: Rodney Laurel v. Costco Wholesale Corp.
Civil Action No. 03-4825 (DMC)

Dear Parties:

This matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Mark Falk, filed on January 4, 2006, whereby Judge Falk recommended the dismissal with prejudice of *pro se* Plaintiff Rodney Laurel's ("Plaintiff") Complaint for failure to provide discovery, failure to comply with court orders and failure to prosecute this action. Pursuant to Fed. R. Civ. P. 78, no oral argument was heard. For the reasons set forth below, the Report and Recommendation of Judge Falk to dismiss Plaintiff's Complaint is **adopted** and **affirmed**.

affirmed.

DISCUSSION

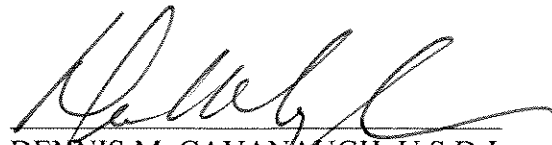
Pursuant to 28 U.S.C. § 636(b)(1)(B), a magistrate judge may submit to a district court proposed findings of fact and recommendations concerning dispositive matters. The United States Supreme Court has held that “[w]here a Magistrate makes a finding or ruling on a motion or an issue, his determination should become that of the district court unless specific objection is filed within a reasonable time.” Thomas v. Arn, 474 U.S. 140, 150-51 (1985). Section 636(b)(1) and Local Civil Rule 72.1(c)(2) prescribe a ten day period during which a party may object to a Magistrate Judge’s report and recommendation. A District Court Judge may accept, reject or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. See 28 U.S.C. § 636(b)(1)(C); L. Civ. R. 72.1(c)(2).

Judge Falk’s Report and Recommendation that Plaintiff’s Complaint be dismissed was filed on January 4, 2005. No opposition was submitted. This Court has reviewed this matter and wholeheartedly agrees with Judge Falk’s well reasoned Report and Recommendation, finding that it is neither contrary to law nor clearly erroneous. Therefore, this Court adopts without hesitation or modification Judge Falk’s Report and Recommendation in its entirety.

CONCLUSION

Based on the foregoing, Judge Falk’s Report and Recommendation that Plaintiff’s Complaint be dismissed with prejudice is hereby **adopted** and **affirmed**. Plaintiff’s Complaint is hereby **dismissed with prejudice**, and the case **closed**.

SO ORDERED.


DENNIS M. CAVANAUGH, U.S.D.J.

Original: Clerk
Copies: Hon. Mark Falk, U.S.M.J.
All counsel of record
File